

DEPARTMENT OF PLANNING  
STAFF REPORT

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## PLANNING COMMISSION PUBLIC HEARING

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**DATE OF HEARING: June 23, 2010**

**ZMAP 2009-0006, SPEX 2009-0026 Morley Corner Temple Baptist Church & School**

**DECISION DEADLINE: September 8, 2010**

**ELECTION DISTRICT: Dulles**

**PROJECT PLANNER: Ginny Rowen PLANNING DIRECTOR: JULIE PASTOR**

### EXECUTIVE SUMMARY

Temple Baptist Church of Herndon, Virginia has submitted an application to rezone approximately 21 acres from the PD-CC-CC (Planned Development-Commercial Center-Community Center) zoning district to a PD-OP (Planned Development – Office Park) district and a PD-CC-NC (Planned Development–Commercial Center-Neighborhood Center) district in order to develop up to 162,400 square feet of church, private school, child care uses, and an auxiliary ministries building at a Floor Area Ratio (FAR) of approximately 0.2 and 22,500 square feet of commercial uses at a FAR of approximately 0.34. This application is subject to the Revised 1993 Zoning Ordinance. The applicant has also submitted an application for a special exception to permit a private school that is accessory to a church, which is listed as a Special Exception use in Section 4-304(S). The applicant is requesting zoning ordinance modifications to reduce the distance along the northern boundary line from 100 feet to 20 feet adjacent to the R-16 district and to allow private road access from the neighborhood commercial district to the approved residential district. The property is located in the northwest corner of Ashburn Village Boulevard and Waxpool Road. The area is governed by the policies of the Revised General Plan which designate this area as Keynote Employment and which recommend office and research and development uses at a FAR up to 1.0.

### RECOMMENDATION

Staff cannot support the application based on the outstanding community planning and zoning issues identified in the Staff Report.

### SUGGESTED MOTIONS

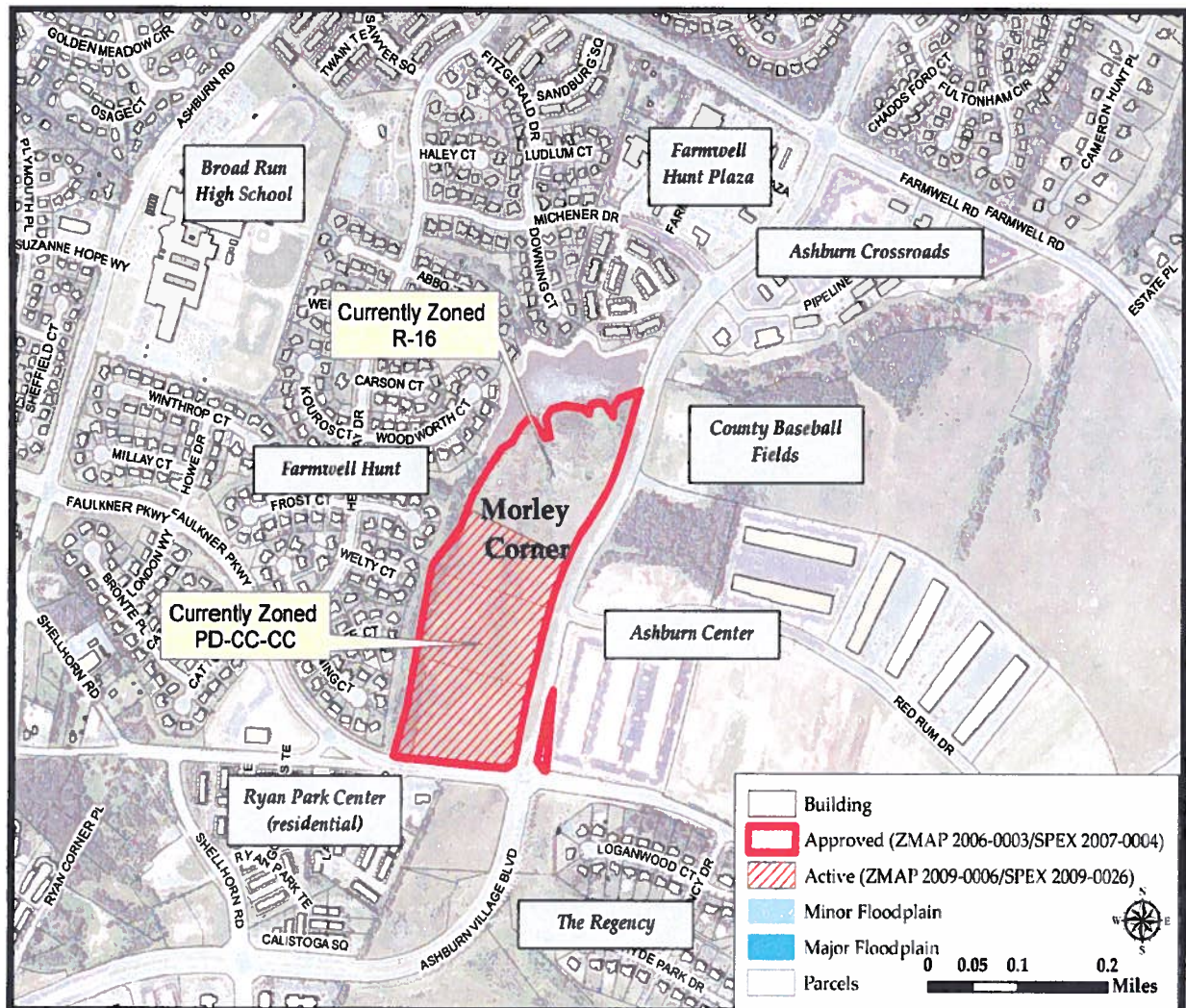
1. I move that the Planning Commission forward ZMAP 2009-0006 and SPEX 2009-0026, Morley Corner Temple Baptist Church & School, including the findings for denial, to the Board of Supervisors with a recommendation of denial.
2. I move that the Planning Commission forward ZMAP 2009-0006 and SPEX 2009-0026, Morley Corner Temple Baptist Church & School, to a work session for further discussion.

3. I move that the Planning Commission forward ZMAP 2009-0006 and SPEX 2009-0026, Morley Corner Temple Baptist Church & School, including the proffers dated May 25, 2010 to the Board of Supervisors with a recommendation of approval.

### VICINITY MAP

**Directions:** From Leesburg: Proceed east on Route 7 to Ashburn Village Boulevard. Make a right onto Ashburn Village Boulevard and proceed south to the property on the northwest corner of Ashburn Village Boulevard and Waxpool Road.

Vicinity Map (Active Application shown in red hatching)



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## I. APPLICATION INFORMATION

### APPLICANT

Temple Baptist Church of Herndon  
 Dr. David Pittman, Senior Pastor  
 1545 Dranesville Road  
 Herndon, Virginia 20170  
 703-581-7093

### REPRESENTATIVE

Walsh, Colucci, Lubely, Emrich & Walsh PC  
 J Randall Minchew, esq. & Andrew Painter, esq.  
 One East Market Street  
 Leesburg, Virginia 20176  
 703-737-3633

### APPLICANT'S PROPOSAL

Rezone 21 acres from the PD-CC-CC (Commercial Center-Community Center) zoning district to PD-OP (Office Park) and PD-CC-NC (Neighborhood Commercial) to develop church, recreational facilities, child care, private school, auxiliary ministries building and commercial uses.

### LOCATION

Northwest corner of Waxpool Road and Ashburn Village Boulevard

### TAX MAP/PARCEL #

Tax Map 79((62)), Parcels 1, 2, and 3, (PIN #s 088-37-1171, 088-47-1916, and 088-47-3765)

### ZONING

PD-CC-NC (Commercial Center – Neighborhood Center)

### ACREAGE OF REQUEST SITE

Approximately 21 acres

### SURROUNDING LAND USES/ZONING

	ZONING	PRESENT LAND USES
North	R-16	undeveloped (Morley Corner multifamily approved)
South	R-1	Regency HOA open space, Masonic lodge
East	PD-IP	office / flex industrial (Ashburn Center)
West	PD-H4	single family detached (Farmwell Hunt)

## II. SUMMARY OF DISCUSSION

Topic	Issues Examined and Status
Comprehensive Plan	<ul style="list-style-type: none"> <li>• Consistency with Keynote Employment policies. Status: <b>Unresolved.</b></li> <li>• Consistency with Land Use Mix policies in Keynote area. Status: <b>Unresolved</b></li> <li>• Provide catchment area study in accordance with Plan policies. Status: <b>Unresolved.</b></li> <li>• Mitigate potential lighting impacts. Status: Resolved.</li> <li>• Mitigate potential noise impacts. Status: Resolved.</li> <li>• Provide design guidelines. Status: Resolved.</li> </ul>
Zoning	<ul style="list-style-type: none"> <li>• Proposal meets intent of a PD-OP district (primarily for administrative, business and professional offices). Status: <b>Unresolved.</b></li> <li>• Demonstrate that the private school is accessory to the church. Status: <b>Unresolved.</b></li> <li>• Modification requests should exceed the public purpose or provide an innovative design. Status: Resolved.</li> <li>• Corrections provided to Concept Plan. Status: Resolved.</li> </ul>
Transportation	<ul style="list-style-type: none"> <li>• Construct 2 lanes of a 4-lane divided section (with right turn into site) along Waxpool Road frontage. Status: Resolved</li> <li>• Construct 2 lanes of a 4-lane divided section (including turn lanes) along Ashburn Village Boulevard frontage. Status: Resolved</li> <li>• Coordination of Ashburn Village Boulevard road improvements with residential component. Status: <b>Unresolved</b></li> <li>• Provide a 25% contribution - traffic signal at Ashburn Village Blvd. / Waxpool Road. Status: Resolved.</li> <li>• Provide a 50% contribution - traffic signals at Ashburn Village Blvd. / Red Rum Drive. Status: Resolved.</li> </ul>

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Environmental	<ul style="list-style-type: none"> <li>• Provide 50-foot management buffer adjacent to minor floodplain. Status: Resolved</li> <li>• Retain steep &amp; moderately steep slopes within protected areas. Status: Resolved.</li> <li>• Clarify proffer language related to clearing and grading in buffer areas. Status: Resolved.</li> <li>• Expand tree conservation areas along western portion of property. Status: Resolved.</li> <li>• Clarify proffer language regarding encroachments in Tree Conservation Area. Status: Resolved</li> <li>• Provide commitments to pre-treatment of stormwater runoff. Status: <b>Unresolved</b>.</li> <li>• Provide hydrogeologic assessment for athletic field irrigation, if required, at site plan stage. Status: Resolved.</li> <li>• Provide rainwater cistern to help water landscaped areas. Status: Resolved.</li> </ul>
Utilities	<ul style="list-style-type: none"> <li>• Adequate utility provisions to site. Status: Resolved.</li> </ul>
Proffers	<p>Proffer Statement dated May 25, 2010 currently under County review.</p> <p>Fire and Rescue Contributions – Applicant contributing \$.10 per square foot of development (total contribution- \$18,490) to fire and rescue services. Escalated from base year of 1988 in accordance with CPI – consistent with recent applications. Status: Resolved.</p>

<b>Policy or Ordinance Sections Subject to Application</b>	
<u>Revised General Plan:</u> Chap. 5- River and Stream Corridor Policies. Policies 2, 3, 5, 18, 23.	
Chap 5. Surface Water Policies. Policy 2.// Chap 5. Lighting & the Night Sky. Policy 1.	
Chap 5. Highway Noise Policies. Policy 1.// Chap 6. Transit-Oriented Development. Policies 16, 17, 18, 19.	
Chap 6. Keynote Employment Center Policies. Policies 1, 4./ Chap 6. Suburban Area Land Use Matrix.	
<u>Countywide Retail Policy Plan Amendment.</u>	
General Retail Policies. Policy 4.// Service Area–Based Retail. Gen. Policies. Policies 1,4.	
Service Area – Based Retail Policies. Employment Supportive Retail Centers. Policy 1.	
<u>Revised Countywide Transportation Plan, Bike / Ped Plan</u>	
<u>Revised 1993 Zoning Ordinance:</u> Sections 3-300, 4-202(A), 4-205(C)(2), 4-305(B)(2).	

### III. SPECIAL EXCEPTION CONDITIONS OF APPROVAL

1. The subject property shall be developed in substantial conformance with the Special Exception plat dated July 30, 2009, revised through May 24, 2010 prepared by Bowman Consulting. Approval of this application does not relieve the applicant of any Zoning Ordinance, Codified Ordinance, or any other regulatory requirement.
2. Enrollment in the private school shall be limited to a maximum of 500 students.

### IV. FINDINGS

1. The application is not consistent with the Keynote Employment policies contained in the Revised General Plan. Plan policies recommend the development of predominantly office and/or research and development uses in Keynote areas.
2. The proposal does not meet the land use mix policies for Keynote areas as contained in the Revised General Plan.
3. A catchment area analysis has not been provided for the retail component in accordance with Plan policies.
4. The proposal does not meet the intent of a PD-OP zoning district.
5. The applicant has not demonstrated that the private school is accessory to the church.
6. Specific commitments have not been provided to improve stormwater quality.

### V. PROJECT REVIEW

#### A. Context

In December 2007, the subject property was rezoned from PD-OP (Office Park) to PD-CC-CC (Commercial Center – Community Center) (ZMAP 2006-0003 & SPEX 2007-0004, Morley Corner) to allow the development of 260,000 square feet of office and retail uses, with a minimum of 104,000 square feet of office. The rezoning also included an additional 11 acre component north of the current subject site which was rezoned for the development of 128 multi-family dwelling units (R-16). The residential portion of Morley Corner, which is planned for future development, is not included in this rezoning request. A Boundary Line Adjustment (BLAD 2009-0036) was approved in September, 2009 to separate the R-16 portion of Morley Corner from the current rezoning proposal.

The property to the west of the subject site is currently developed with single family detached units (Farmwell Hunt). Across Waxpool Road, the property to the south of the site is dedicated open space that is part of the Regency community (single family detached units). A Masonic lodge is also located to the south, across Waxpool Road. The property to the east, across Ashburn Village



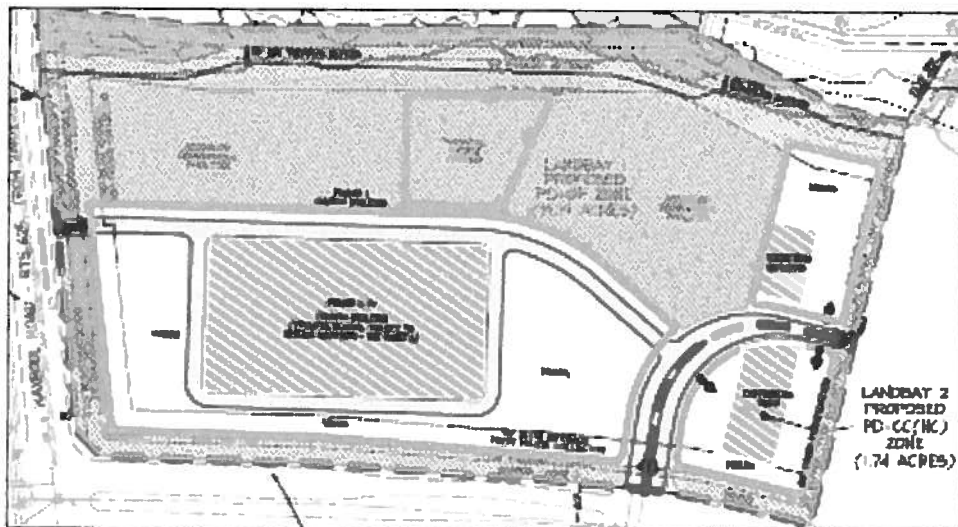
Boulevard, is developed with a mix of office and flex-industrial uses in the Ashburn Center development. Extensive retail and service uses are located to the north of the site in the Farmwell Hunt Plaza and Pipeline Plaza, to the south in the Shoppes at Ryan Park, and to the east within the Ashburn Center development.

The property contains a number of environmental resources including floodplain, wetlands, moderately steep slopes, and forest areas. Most of the forest resources are located within areas of wetlands, floodplains, and moderately steep slopes and are planned to be conserved. An unnamed tributary to Beaverdam Run lies along the western boundary of the site. The site is situated within the 60 Ldn 1-mile buffer of the Washington Dulles International Airport.

Temple Baptist Church has been active in Herndon, Virginia for over 30 years. Services include traditional Sunday School, morning and evening worship services on Sundays, visitation in hospitals and homes, youth functions, Bible study, prayer breakfasts, and related religious events. To accommodate the Church's expanding congregation and the increasing number of members living in the County, the Church acquired the subject site in 2009 to relocate and expand their facilities. The applicant is proposing to construct the following facilities:

- a 140,000 square foot church (including a private school and child care component);
- a 20,000 square foot auxiliary ministries / maintenance building;
- a 2,400 foot outdoor chapel / concession stand; and
- lighted sports fields (consisting of but not limited to baseball, softball, t-ball and soccer fields and basketball and tennis courts as depicted on sheet 6 of the CDP).
- A 22,500 square foot neighborhood retail component is also proposed (to be developed by others) in the northeast corner of the site.

The 20,000 square foot ministries / maintenance building proposed in the northwestern portion of the site will be used for various church functions, a youth center and for athletic field maintenance and storage purposes. It will include a 1,520 square foot auditorium with seating for 150 congregants, a youth fellowship hall, Sunday School classrooms, and a church vehicle maintenance facility. (See proposed Concept Plan below).





The applicant plans to construct the proposal in the following four phases:

- Phase I - construction of the 2,400 square foot outdoor chapel / concession stand and construction of the lighted recreational fields, tennis and basketball courts;
- Phase II - the majority of the main church/private school building;
- Phase III – construction of the 20,000 square foot auxiliary ministries / maintenance building, the kindergarten space (including playground) and a 5,000 square foot gymnasium expansion to the main church/school building; and
- Phase IV - addition of a 5,300 square foot fellowship hall and main auditorium balcony to the main church/school building.

## **B. Summary of Issues**

Staff has cited concerns related to comprehensive plan conformance, zoning compliance, environmental impacts, and transportation concerns. Specifically, staff concerns include the following:

1. Keynote Employment policies support large scale office and/or research and development uses. The application proposes a church, private school, before and after-school daycare facilities, recreational facilities, and a small retail component.
2. The application does not meet land use mix policies for Keynote Employment areas as identified in the Revised General Plan.
3. A catchment statement or market analysis should be provided to determine the function of the proposed retail area in accordance with Plan policies.
4. Commit to LID measures that will be incorporated to pre-treat stormwater runoff.
5. The application does not meet the intent of a PD-OP district which is primarily for administrative, business and professional offices.
6. The applicant has not demonstrated that the private school is accessory to the church.
7. The timing of the Ashburn Village Boulevard road improvements must be coordinated with the road improvements planned for the residential component at Morley Corner for safety reasons.

## C. Overall Analysis

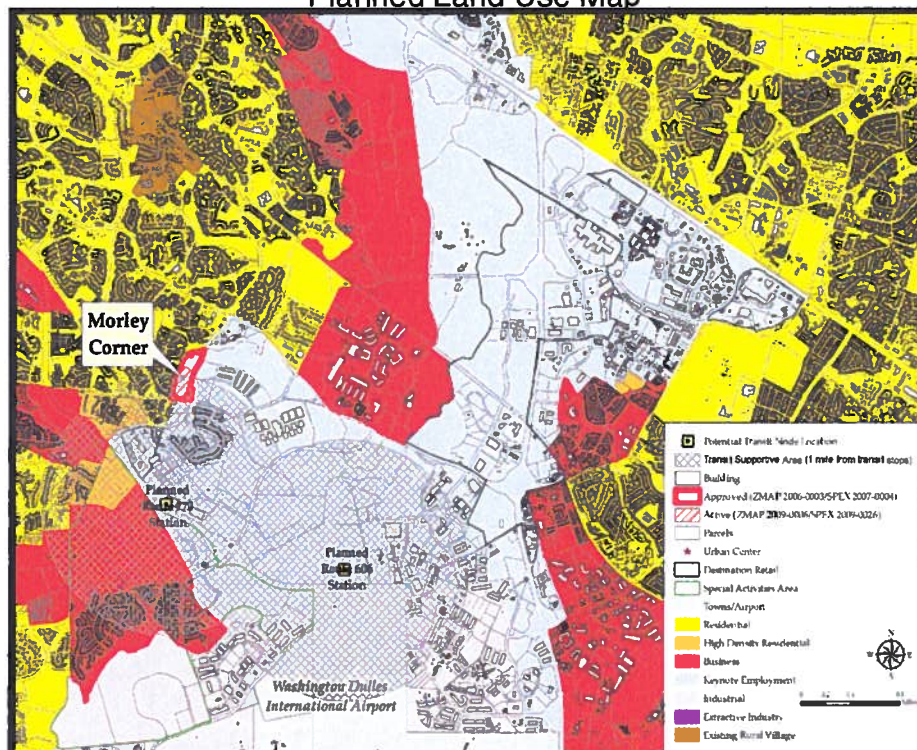
### COMPREHENSIVE PLAN

#### LAND USE

The subject property is governed under the policies outlined in the Revised General Plan, the Revised Countywide Transportation Plan (CTP), and the Toll Road Plan (TRP). The Revised General Plan supersedes the TRP when there is a policy conflict between the two. The Countywide Retail Policy Plan Amendment (Retail Plan) and the Bicycle and Pedestrian Mobility Master Plan (Bike/Ped Plan) also apply to the site. The subject property is located in the Ashburn Community of the Suburban Policy Area within an area designated for Keynote Employment. The site is also within the Transit Supportive Area (TSA) associated with the planned Route 772/Ryan Road metrorail station. This area is intended to provide a transitional area between the high-density core and the surrounding development pattern outside of the Transit-Oriented Development (TOD). The Plan states that the TSA should provide a mix of land uses that complement and support TOD land uses and be developed to reflect their underlying land use designations.

Properties like the subject property that are designated as Keynote Employment are envisioned to develop with 100-percent premier office or research-and-development centers supported by ancillary retail and personal services for employees. The Keynote Employment designation supports the development of prominent office buildings with significant landscaping such as office parks, research and development parks and corporate headquarters.

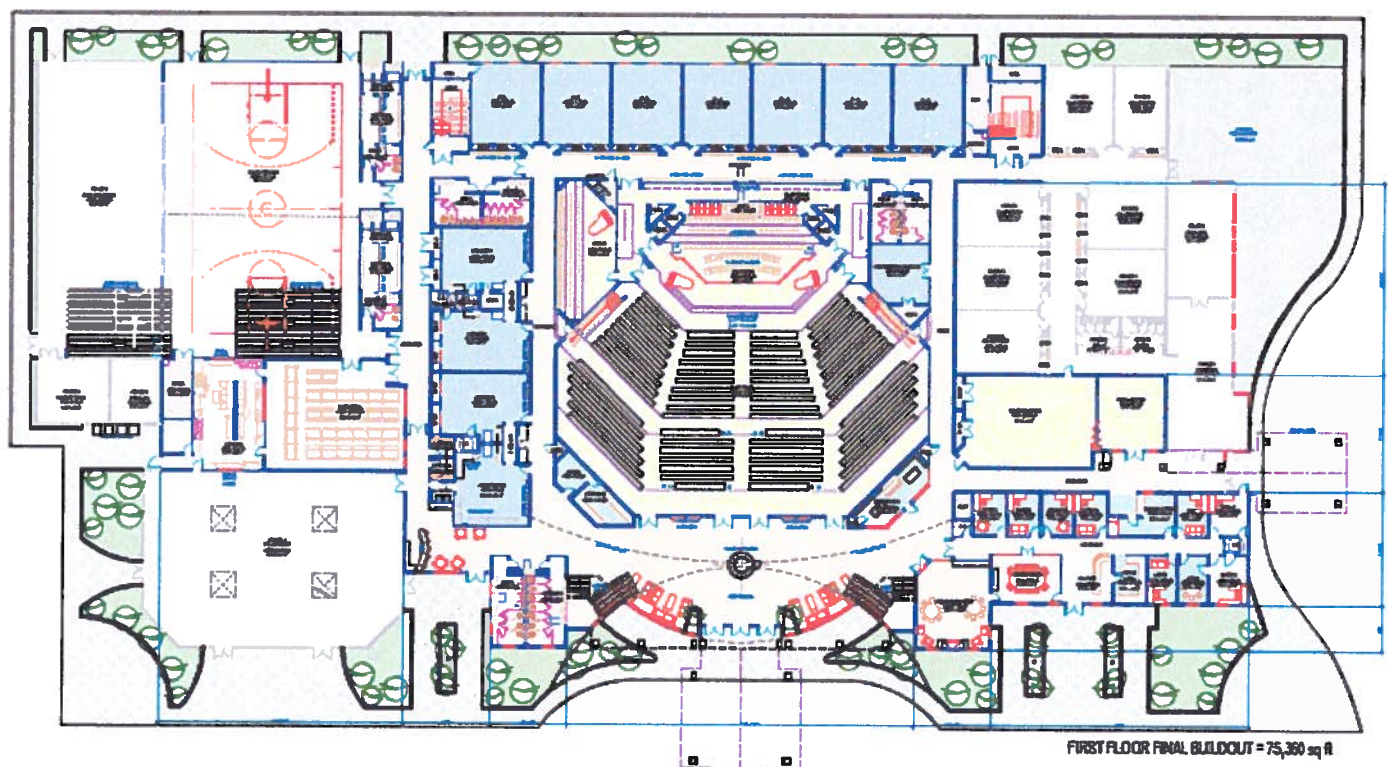
Planned Land Use Map



The applicant disagrees that the proposed uses are not in compliance with the Revised General Plan, stating that the proposal should be viewed in the context of the larger Keynote Employment corridor rather than on an individual site basis. The applicant notes that the proposal provides an innovative land use mix that is complementary to the surrounding predominantly residential community, will provide an appropriate transition to the community and will offer civic uses to Keynote employees and surrounding residents. The proposal results in a reduced footprint, more recreation / open space, and reduced traffic generation compared to the previously approved Morley Corner application.

#### Proposed Church and Educational Uses

The Church / private school building is proposed to contain approximately 140,000 square feet with 1,450 seats in the main auditorium. The proposed private school will serve 500 students and will use the classrooms and other facilities contained within the Church building and the auxiliary ministries building. The Church anticipates that approximately 150 to 200 students will also receive before and after-school child care. Child care will be provided for children that are enrolled in the private school. The proposed hours of operation for the child care facilities will be Monday through Friday, 6:00 a.m. until 7:00 p.m. The proposed outdoor recreation fields will be lighted and used by the Church and school for outdoor sporting events. It is anticipated that the Church and school's teams will host other private schools and non-church affiliated teams. A 2,400 square foot pavilion will provide bathrooms and a small concession stand adjacent to the athletic fields.



FIRST FLOOR BUILDOUT



## Land Use Mix

The Plan provides direction regarding the overall land use mix ratio (measured as a percentage of the land area) recommended for Keynote Employment areas. The proposal, if approved, would result in the following land use mix for the subject site:

Recommended Land Use Mix for Keynote Employment Centers

Land Use Category	Minimum Required to Maximum Permitted	Proposal**
Regional Office	70% - 85%	0%
Commercial Retail & Services	0 – 10%	8%
Public & Civic	At least 5% (no maximum)	40%
Public Parks & Open Space	At least 10% (no maximum)	52%

The Plan's land use mix envisions the inclusion of public and civic uses within Keynote Employment areas with no specific limits; however, Keynote areas are intended to be the location of premier office uses and the land use mix specifies a minimum 70% requirement for regional office uses. The Plan does not intend that public and civic uses be the predominant or sole use on properties designated for Keynote Employment development. Rather, such uses should remain ancillary to the predominant office use and support the businesses and employees located there. The Plan specifically defines civic uses as "public or quasi-public institutional uses in residential or business areas that primarily serve the immediate community and that, due to their small size, design and limited ancillary activities (traffic, parking, noise, or similar activity), are compatible with the surrounding residential or business uses. Small churches are cited in the Plan as an example of an appropriate civic use within these areas.

Due to its size and regional character, the proposed church and educational uses are not the kind of civic use typically envisioned by the Plan for Keynote areas. The proposal is also not consistent with the Plan's recommended land use mix for Keynote Employment-designated properties since no office development is proposed. The surrounding area has been developed predominantly with residential and retail uses; therefore, introducing additional office uses in the community would provide opportunities for nearby residents to live close to places of employment and help create a balanced, mixed-use community.

The proposal is not consistent with the intent or recommended land use mix envisioned in the Revised General Plan for Keynote Employment areas. In this case, the previously approved development, which committed to a minimum of 104,000 square feet of office uses, appears to be more consistent with the property's land use designation than the current application.

### Proposed Retail Use

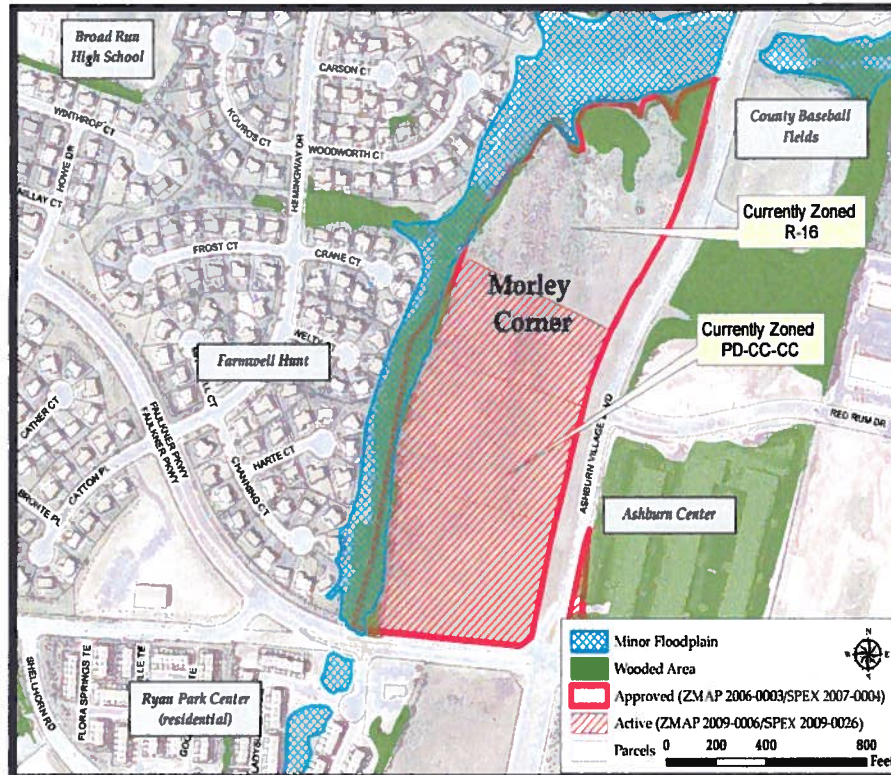
In addition to the proposed church, educational, and recreational uses, the applicant is requesting to rezone approximately 1.74 acres to the PD-CC-NC (Planned Development – Commercial Center - Neighborhood Center) zoning district in order to develop up to 22,500 square feet of neighborhood retail uses in the northeast corner of the site. The Revised General Plan envisions that up to 10% of the land area of Keynote Employment Centers can be comprised of Commercial Retail & Service uses. The proposed PD-CC-NC district comprises 8% of the subject property's total land area (or 1.74 acres of the total 20.93 acres).

Retail uses within Keynote Employment areas are envisioned to be employment supportive, including uses such as office supply stores, copying/mailing facilities, restaurants, daycare centers, dry cleaners, banks and similar uses. Since no office development is proposed in this application it is not clear what function the proposed retail uses will serve within the Morley Corner development or the greater Ashburn community. According to Plan policies, service uses are not intended to support surrounding developments and should not be located in Keynote Employment areas. They are not intended to attract “drive-by” shoppers or function as destination retail. A market statement or analysis of the proposed retail uses has not been provided with this application. Plan policies state that all applications for commercial retail rezonings must include a statement describing the catchment or market area to be served as well as a statement of justification that contains an analysis of existing and proposed competing projects.

Staff understands and supports the applicant's desire to locate in Loudoun County; however, a large-scale, regional church, private school, and associated day care and recreational facilities are not anticipated as the sole development type within Keynote Employment areas.

### COMPATIBILITY WITH SURROUNDING USES

An established residential neighborhood (Farmwell Hunt) is located immediately west of the subject property on the opposite side of the floodplain and additional residential uses, specifically 128 multi-family dwelling units, have been approved in the northern, R-16 portion of Morley Corner. In the first referral, staff expressed concern that the proposed outdoor recreational uses (including several playing fields and tennis and basketball courts) could have detrimental lighting, noise, and other impacts on these existing and planned neighborhoods (see Vicinity Map next page). At the request of staff, the applicant has recently provided stronger proffer commitments aimed at reducing potential lighting and noise impacts from the outdoor recreational facilities (see proffers A-169).



Vicinity Map

## Lighting

Outdoor lighting is to be provided for the proposed recreational fields, basketball and tennis courts, parking lots, and exteriors of the buildings. In the first referral, staff recommended that the applicant commit to the use of lighting that is the minimum necessary and specifically chosen or designed to reduce off-site glare and reflection. The draft proffer statement (A-169) includes the following lighting commitments:

- fields may be lighted until 9:30 p.m. as needed;
- limit light pole heights to 70 feet for the baseball, softball, t- ball and soccer fields and 40 feet for the basketball and tennis courts;
- lights shall be cut-off and fully shielded and directed downward and inward to minimize glare on adjacent properties and streets;
- Musco Light-Structure Green model brand (or performing equivalent) will be used; and
- previously approved site lighting proffer remains (parking lot and exterior building lighting (see proffers A-173).

Staff maintains that the applicant has provided sufficient commitments to mitigate lighting impacts on the adjacent and planned residential communities.

## Noise

Initial concerns were also raised about the impact of roadway noise generated on Ashburn Village Boulevard on the proposed outdoor recreational uses. In addition, staff had concerns

regarding noise impacts from the outdoor recreational facilities on the adjacent residential communities. The Revised General Plan and the Revised Countywide Transportation Plan state that noise abatement measures, such as earthen berms, wooden fences, greater setbacks and the retention of existing vegetation or enhanced landscaping, will be considered for recreation and active sports areas if noise levels approach or exceed 67 decibels (dBA). A noise attenuation study conducted by Polysonics Corporation found peak hour traffic noise impacts from Ashburn Village Boulevard to be 66 dBA, which is in conformance with Plan policies. The proposed outdoor recreational uses consisting of several playing fields and tennis and basketball courts are proposed behind the church / private school facilities. In general, the recreational facilities will maintain a 100 foot setback from the western property line adjacent to the Farmwell Hunt community. A common open space area (governed by the Farmwell Hunt Homeowners Association) separates the property from the single family residences. The distance from the sports fields to the closest residence is approximately 200 feet. The draft proffer statement (see proffers A-169) includes the following noise mitigation commitments:

- recreational fields will be used only in conjunction with church activities;
- recreational fields will not be open to the public;
- there will be no public address system, loudspeakers, or bullhorns used;
- lighting for the recreational fields shall be cut-off by 9:30 p.m.

Staff maintains that the applicant has provided sufficient commitments to mitigate noise impacts on the adjacent and planned residential communities.

#### Site Design

The physical development of the site should comply with the Keynote Employment design guidelines, which call for Keynote Employment uses to:

- be the prominent feature of the site when viewed from periphery roads;
- exhibit the highest quality in site and building design;
- maintain larger front and side yards to permit extensive landscaping and design features that accentuate the larger-scale structures; and
- place parking behind buildings or in the center of the blocks.



**EAST ELEVATION (from Ashburn Village Boulevard)**





SOUTH ELEVATION (from Waxpool Road)

### Parking

The Plan calls for Keynote Employment areas to provide “large front yards with extensive landscaping and design features” in order to accentuate the larger-scale buildings. In the first referral, staff recommended that the proposed parking spaces in front of the main church building be relocated to a location internal to the development, perhaps behind the building, so that an enlarged, extensively landscaped front yard can be provided, consistent with the Plan’s vision.

The applicant has stated that the proposed layout splits the parking areas to the north and south of the main church building in order to mitigate the visual impact of the parking areas. The applicant also states that a landscaped buffer, as shown in the concept plan, will be provided to screen the proposed parking areas. Staff notes that a Type I buffer (consisting of 2 canopy trees per 100 linear feet) was initially proposed along the Ashburn Village Boulevard and Waxpool Road frontages. The applicant has since proffered a Type 2 buffer (consisting of 3 canopy trees, 2 understory trees, and 10 shrubs per 100 linear feet) in order to reduce impacts of the surface parking areas.

### ENVIRONMENTAL RESOURCES

Although the majority of the property has been cleared of vegetation, several Green Infrastructure elements as described in the Revised General Plan are located along its western boundary that are associated with and adjacent to an unnamed tributary of Beaverdam Run. These include portions of the tributary itself, minor floodplain, moderately steep slopes, hydric soils, wetlands and existing woodlands. Beaverdam Run flows into Broad Run and eventually into the Potomac River.

### Stream Corridor Resources

The Revised General Plan recognizes the importance of stream corridor resources and calls for the establishment of a 50-foot management buffer around the major floodplain and adjacent

steep slopes or a 100-foot stream buffer measured from the channel scar line, whichever is greater, in order to protect the stream corridor from upland disturbance and adjacent developments. The Plan permits a limited number of uses in the stream corridor, including passive and active recreation, road crossings, pervious paths and trails, and stormwater management facilities. These uses must support or enhance the biological integrity and health of the corridor and have minimal adverse effects on wildlife, aquatic life, and their habitats; riparian forests, wetlands, and historic and archeological sites; and will be required to complement or enhance the hydrologic processes of the stream corridor, including flood protection and water quality.

County staff, including the Urban Forester, visited the site in October, 2009 and found that early successional plant species have been established immediately east of the mature trees along the floodplain. In this case, rather than replanting the area as the previous application committed to, it would be more beneficial to preserve existing vegetation within the 50-foot management buffer. The applicant has now increased the currently approved 25-foot management buffer along the eastern edge of the minor floodplain to 50-feet, consistent with Plan policies.

Existing successional vegetation



In addition, the applicant has designated a large portion of the 50-foot management buffer as a Tree Conservation Area (TCA) including commitments regarding the preservation, protection and management of the existing vegetation, consistent with the Plan policies. The proffers have been clarified to limit disturbances to the management buffer to the provision of utilities and retaining walls. Preserving as much of the site's existing vegetation will help protect water quality and will help create a more extensive buffer between the proposed recreational uses and the existing

single family homes in the Farmwell Hunt community.

Regarding twelve large 30-inch plus specimen trees that are scattered throughout the site, the applicant has provided additional information regarding the location of the trees. All of the trees are located within a protected TCA or in the residential portion of Morley Corner.

#### Steep & Moderately Steep Slopes

The Existing Conditions plat (Sheet 2) indicates that both steep slopes (defined in the Plan as areas with slopes greater than 25% and/or soil Slope Class of E) as well as moderately steep slopes (areas with a 15 to 25% grade and/or the soil Slope Class of D) are present on the subject property. These steep and moderately steep areas are part of a drainageway that discharges directly into the tributary to Beaverdam Run. All of the steep and moderately steep slopes are contained within proposed buffer areas and will not be impacted by the site layout.

#### Stormwater Management

The Plan states that major water resource issues for the County include protecting groundwater and surface water (i.e., streams and wetlands) from contamination and pollution as well as preventing the degradation of water quality in watersheds. The Plan promotes the use of low impact development (LID) techniques, which integrate hydrologically functional designs with methods for preventing pollution. LID methods use natural vegetation and small-scale treatment systems to treat and infiltrate rainfall close to the source and can include permeable paving, vegetative buffers or filter strips, and the collection and use of rooftop run-off for irrigation and green roofs.

Once the property has been developed, stormwater management facilities will be critical in maintaining water quality. On-site water quality measures are important with this project considering that the existing receiving stormwater management pond was constructed without a sediment forebay, which is now a requirement for all new ponds. According to Note #10 on Sheet 1 of the CDP, stormwater runoff quantity and quality control will be provided by two regional facilities:

- Lake #2 which is located to the north of the residential portion of Morley Corner; and
- Pond #1 located adjacent to Farmwell Road.

The previously-approved Morley Corner application (ZMAP 2006-0003 & SPEX 20007-0004) committed to implementing LID measures; contributing both an initial capital contribution as well as annual monetary contributions to the Farmwell Hunt Homeowners Association to improve and maintain the existing stormwater management pond between the property and the Farmwell Hunt community; and landscaping the area between the pond's dam and Ashburn Village Boulevard and extending the 10-ft wide trail adjacent to Ashburn Village Boulevard. Staff understands that the R-16-zoned portion of Morley Corner will be responsible for fulfilling these previously proffered commitments.

To help protect water quality and reduce future maintenance requirements/expenses, staff has recommended that assurances be provided that pre-treatment of stormwater runoff from the

proposed project shall occur prior to discharging to stormwater ponds. The applicant is currently proposing to incorporate LID measures, subject to feasibility at the time of site plan. A stronger commitment to implement LID measures is needed to assure future water quality.

## Wetlands

The County supports the federal goal of no net loss to wetlands in the County. Field-located wetlands are depicted on the Existing Conditions plat (Sheet 2) and the Combined Land Use Plan (Sheet 5). The surveyed wetlands and stream boundaries were delineated by Wetland Studies and Solutions, Inc. and confirmed by the U.S. Army Corps of Engineers through a jurisdictional determination (JD# 06-B00055) that was issued on March 27, 2006. It appears that all of the wetlands located on the site are within the site's existing floodplain and proposed riparian buffer. No further impacts to wetlands are anticipated.

## Groundwater Resources

Staff identified concerns regarding the water source that will be used to irrigate the proposed recreational fields. The applicant has responded that an on-site well may be used for these purposes. The applicant anticipates that all of the recreational facilities will be constructed at the same time – not in phases. Previous discussions for other projects involving irrigation of athletic fields of a similar scale has indicated that demand may exceed an average of 10,000 gallons per day during a 30-day period threshold, which requires a hydrogeologic assessment (Facilities Standards Manual - Section 6.420). The applicant has proffered to provide a hydrogeologic study, if required, in accordance with FSM standards.

Staff has recommended that the applicant consider the construction of a rainwater cistern that would help meet watering demands for the landscaping. Provision of rainwater cisterns could help meet these needs and they support long term water conservation, as encouraged by Plan policies. The applicant has proffered to incorporate a rainwater cistern into the development.

## ZONING

The applicant is requesting to rezone approximately 20 acres from the PD-CC-CC (Commercial Center – Community Center) zoning district to a PD-OP (Office Park) zoning district to develop a 162,400 square foot church, including a private school and child care facilities, recreational facilities and accessory uses and a PD-CC-NC district to develop 22,500 square feet of commercial uses. Zoning modifications have also been requested to reduce the 100 foot perimeter yard to 20 feet along the northern boundary and to allow private vehicular access between the PC-CC-NC district and the R-16 district.

Section 4-301 of the Revised 1993 Zoning Ordinance states that PD-OP districts are primarily for administrative, business and professional offices and necessary supporting accessory uses and facilities. Staff maintains that the proposed church and associated facilities do not meet the intent of a PD-OP zoning district. The applicant states that in adopting the Revised 1993 Loudoun County Zoning Ordinance, the Board of Supervisors crafted the PD-OP zoning district as its preferred district to implement Keynote Employment uses. The proposed church, accessory

private school and associated facilities are permitted by-right or by special exception in PD-OP districts.

Section 4-303(X) permits church and accessory uses, such as classrooms, church offices, private schools, youth programs, day care facilities, recreational facilities, and food banks by-right. The applicant has not demonstrated that the proposed private school is accessory to the church. By definition, an accessory use is incidental and subordinate to the primary use on the site. Zoning staff has consistently maintained that in order to be considered an accessory use, students attending the private school should also be attending religious services at the Church. Staff notes that a stand-alone private school is not a permitted use in a PD-OP district.

Section 4-201 of the Revised 1993 Zoning Ordinance states that the purpose of the PD-CC-NC zoning district is to permit the development of neighborhood shopping centers in scale with surrounding market areas, at locations recommended in the Comprehensive Plan. The proposed 1.74 area proposed to be developed with up to 22,500 square feet of neighborhood retail uses conforms to the amount of retail anticipated in the land use mix policies for Keynote areas. Plan policies support a 10 percent retail component. Approval of this application will allow approximately 8 percent. As noted previously, the applicant should provide a market study to define the area it is intended to serve.

#### Zoning Ordinance Modifications

Section 6-1504 of the Revised 1993 Zoning Ordinance states that “the regulations of the PD district sought shall apply after the rezoning is approved unless the Board of Supervisors approves a modification to the zoning, subdivision or other requirements that would otherwise apply. No modifications shall be permitted which affect uses, density, or floor area ratio of the district. ...No modification shall be approved unless the Board of Supervisors finds that such modification to the regulations will achieve an innovative design, improve upon the existing regulations, or otherwise exceed the public purpose of the existing regulation.”

#### 1. Modification Request:

Modify Section 4-206(D)(1) to permit vehicular access on private roads between the PD-CC-NC(Neighborhood Commercial) district and the R-16 (Residential) district.

#### Applicant's Justification:

The applicant's proposal seeks to maximize use of the approved Red Rum Drive/Ashburn Village Boulevard intersection and minimize the number of private commercial entrances and reduce traffic movements on Ashburn Village Boulevard. The traffic from the small-scale commercial use and the church-related uses can be served adequately by a private roadway. The reduced roadway width design permitted for private roadways serves to increase the amount of open space within the subject site.



Staff Analysis and Recommendation:

The applicant's request to allow private road access between the proposed development and the approved multifamily units in the northern portion of the Morley Corner site is appropriate based on the following factors:

- the proposed commercial component is limited in size and scale to 22,500 square feet;
- pedestrian and emergency vehicular access are proposed between the disparate land uses;
- the amount of open space is increased on the site.

2. Modification Request:

Modify Sections 4-205(C)(2) and 4-305(B)(2) to reduce the 100 foot perimeter buffer to 20 feet along the northern property line between the PD-OP (Office Park) / PD-CC-NC (Neighborhood Commercial) zoning districts and the R-16 (Residential) zoning district.

Applicant's Justification:

The existence of residential zoning to the north of the subject property, combined with the proposed layout and the concurrent need to align the southern entrance along Ashburn Village Boulevard with that of Red Rum Drive has created a 1.74 acre land bay that is highly suitable for a small-scale commercial center to serve the convenience needs of the surrounding residential neighborhoods and the R-16 planned future residential development to the north.

The applicant proposes a 20-foot perimeter yard along the northern property boundary of the proposed PD-CC-NC zone in order to ensure sufficient space for loading, parking, and trash removal for the PD-CC-NC portion of the Subject Property. In lieu of the requested decrease, the Applicant proposes a Type 3 side/rear buffer plantings adjacent to the existing R-16 zone rather than a Type 2 buffer plantings. This modification request is substantially the same as requested under the previously-approved Morley Corner application, which staff supported.

While already zoned and not included in this application, the R-16 site was sold by the applicant to the current R-16 owner and has been planned to be physically integrated with the proposed development of the Subject Properties. Accordingly, the R-16 residential component will serve as an integrated component of the Morley Corner property as a whole and will not need to be buffered to the same extent as adjacent non-related surrounding properties that are developed with single-family detached units. This is particularly true given the joint sidewalk network between the two properties and complementary land uses. Under this application, the scale of the structures immediately adjacent to the R-16 residential component (the Auxiliary Ministries and the PD-CC-NC buildings) are smaller in size and provide less parking area than those previously approved under the prior Morley Corner application.

For purposes of encouraging integrated activities (i.e., walking, bicycling, worshipping, etc.) between the Subject Properties and the R-16 portion, a 100-foot buffer would provide too great a separation, while the proposed 20-foot Type 3 buffer plantings provide appropriate buffering

between uses without creating a barrier between the uses. Given the site layout and the increased amount of open space being provided on the property, the proposed modification is appropriate.

Additionally, the R-16 property's border with the Subject Properties requires a 25-foot Type 2 Buffer which, when aggregated with the proposed 20-foot landscaped perimeter yard on the Subject Property, provides a 45-foot buffer between any future residential dwelling units and the proposed loading, parking, and trash removal areas. The Applicant requests Staff's consideration that this is the same as that provided in the previously-approved Morley Corner application, while the proposed uses are less intense than the approved Morley Corner PD-CC-CC uses and will provide adequate and sufficient protection. This is particularly true given the higher-density nature of the proposed dwelling units on the R-16 site and the likely expectations by future property owners concerning the Applicant's proposal when purchasing their property.

### Staff Analysis and Recommendation

The applicant's request to reduce the perimeter buffer between the subject site and the planned multifamily units in the northern portion of the Morley Corner site is appropriate based on the following factors:

- the Ashburn Village Boulevard entrance into the site will align with the existing Red Rum access point;
- type 3 side yard plantings will be provided instead of the required Type 2 yard plantings;
- the approved residential component is intended to be integrated into the overall Morley Corner development.
- the scale of the proposed ministries building and the proposed commercial component are more in keeping with the approved residences;
- a 25-foot type 2 buffer is planned along the southern boundary of the residential area; making a total width of 45 feet between the non-residential and residential uses;
- the footprint of the proposed development is less than the currently approved office / retail footprint.

Staff can support the modification requests based on the justification provided by the applicant.

## **TRANSPORTATION**

### **Vehicular**

The proposed rezoning would allow the development of 162,400 square feet of church, private school, child care, and accessory uses and 22,500 square feet of retail commercial uses. Site access will be accommodated by one access point on Ashburn Village Boulevard, and a right-in, right-out access point on Waxpool Road. Based on the traffic study performed by Gorove/Slade Associates, Inc. and ITE rates, this proposal will generate approximately 543 new trips in the weekday morning peak hour, 238 new trips in the weekday afternoon peak hour, and approximately 1,040 new trips on the Sunday peak hour by 2012. The proposed development would generate approximately 1,458 average daily trips. This would represent a significant



decrease of approximately 9,776 average daily trips from the approved office / retail development allowed on the site (11,234 average daily trips anticipated). The transportation commitments made in the currently approved plan to develop 260,000 square feet of office and retail uses have remained intact for the church proposal.

#### Existing / Proposed Road Network

Ashburn Village Boulevard is generally a four-lane divided major collector road. It is a paved, two-lane major collector with left and right turn lanes at all intersections at this site. A traffic signal is already proffered at the intersection of Ashburn Village and Waxpool, with this site responsible for 25% of the cost of the signal. The Countywide Transportation Plan (CTP) calls for this portion of Ashburn Village Boulevard to contain a six-lane divided section with bicycle accommodations in a 120 foot right of way, with additional land dedication for turn lanes.

Waxpool Road is four-lane median-divided collector road in the vicinity of this site, with turn-lanes required at all intersections. The Countywide Transportation Plan (CTP) calls for this portion of Waxpool Road to be six-lane divided with bicycle accommodations in a 90 foot right of way, with turn-lanes required at all intersections. The applicant will be providing the following road improvements / contributions if the applications are approved:

- Bond or construct two lanes of Ashburn Village Boulevard across the property frontage including right and left turn lanes prior to approval of the initial record plat or site plan. If the improvement is constructed by others, the applicant will provide a cash equivalent road contribution in lieu of construction. Staff notes that it is imperative that the Ashburn Village Boulevard improvements associated with the residential component be constructed at the same time at the subject site's improvements for safety reasons;
- Bond or construct two lanes of Waxpool Road across the property frontage including right turn lane prior to approval of the initial record plat or site plan (if improvement is constructed by others, applicant will provide a cash equivalent road contribution in lieu of construction);
- Contribute 25% (\$57,875) of the cost for a traffic signal at the intersection of Ashburn Village Boulevard and Waxpool Road;
- Contribute 50% of the cost for a traffic signal at the intersection of Ashburn Village Boulevard and Red Rum Drive.

#### Bicycle and Pedestrian Facilities

The Bike/Ped Plan calls for 10-foot wide bicycle / pedestrian trails along the property frontages. The concept plan depicts 10-foot wide multi-use trails (within a 14 foot public access easement) along the Ashburn Village Boulevard and Waxpool Road frontages as recommended by Plan policies. The application also depicts 5-foot wide sidewalks along both sides of the private access road into the site from Ashburn Village Boulevard and along the major site accessway (CDP - sheet 4) in accordance with Plan policies. The applicant is proffering two bicycle racks with a minimum capacity of 10 bikes per rack.

## EMERGENCY SERVICES

The site will be served by the Ashburn Volunteer Fire and Rescue Department. The applicant is proffering a contribution of \$.10 per square foot of non-residential development to the primary volunteer fire and rescue company serving the site. If the project is built out, the contribution will total \$18,490 (in 1988 dollars with an escalation clause tied to the Consumer Price Index). The applicant is proffering the same contribution for fire and rescue services as other recent rezoning applications.

## UTILITIES

The subject site will be served by public water and sewer facilities. All necessary extensions of existing utility lines will be provided to the site at no expense to Loudoun County or Loudoun Water. All extensions and connections shall be provided in accordance with Loudoun Water standards and requirements. The applicant has stated that the athletic fields are to be irrigated by an existing on-site well.

## COUNTY ATTORNEY

The applicant has submitted revised proffers dated May 25, 2010 in response to staff comments. The draft proffers are currently under County review.

### D. ZONING ORDINANCE CRITERIA FOR APPROVAL

In accord with Section 6-1211(E) of the Revised 1993 Zoning Ordinance for Zoning Map Amendments, if the application is for a reclassification of property to a different zoning district classification on the Zoning Map, the applicant shall address all the following in its statement of justification or plat unless not applicable. The Planning Commission shall give reasonable consideration to the following matters:"

1.     Standard     *Whether the proposed zoning district classification is consistent with the Comprehensive Plan.*  
  
          Analysis     The proposal is not consistent with the Keynote Employment policies of the Revised General Plan. The intent of Keynote is to develop large-scale office uses and support retail and civic uses.
  
2.     Standard     *Whether the range of uses in the proposed zoning district classification are compatible with the uses permitted on other property in the immediate vicinity.*  
  
          Analysis     The property will be surrounded on the north and west by residential development, open space and civic uses to the south, and office / flex-industrial to the east. The proposed church, private school, and accessory uses could be compatible with the surrounding uses.

3.     Standard     *Whether adequate utility, sewer and water, transportation, school and other facilities exist or can be provided to serve the uses that would be permitted on the property if it were rezoned.*
- Analysis     Public utilities and infrastructure will be extended to serve the development. The applicant will be constructing 2-lanes of Ashburn Village Boulevard and Waxpool Road across the property frontages.
4.     Standard     *The effect of the proposed rezoning on the County's ground water supply.*
- Analysis     The site will be served by public water and sewer facilities. The applicant is proposing to irrigate recreational fields with an existing on-site well. A hydrogeologic study will be required if an average of 10,000 gallons of water per day (during a 30-day period) is reached to irrigate the sports fields.
5.     Standard     *The effect of uses allowed by the proposed rezoning on the structural capacity of the soils.*
- Analysis     No concerns have been identified regarding the structural capacity of the soils.
6.     Standard     *The impact that the uses that would be permitted if the property were rezoned will have upon the volume of vehicular and pedestrian traffic and traffic safety in the vicinity and whether the proposed rezoning uses sufficient measures to mitigate the impact of through construction traffic on existing neighborhoods and school areas.*
- Analysis     The amount of traffic anticipated by the proposal is significantly less than the currently approved office / retail development. Approximately 1,458 average daily trips are anticipated. The applicant has proffered the same transportation facilities as the previous rezoning (consisting of internal roadways, improvements to Ashburn Village Boulevard, Waxpool Road, and contributions for traffic signals at Ashburn Village Boulevard / Waxpool Road, and Ashburn Village Boulevard / Red Rum Drive.
7.     Standard     *Whether a reasonably viable economic use of the subject property exists under the current zoning.*
- Analysis     A reasonably viable economic use of the property exists under the current PD-CC-CC zoning designation.
8.     Standard     *Whether the proposed rezoning encourages economic development activities in areas designated by the Comprehensive Plan and provides desirable employment and enlarges the tax base.*

Analysis The proposal will allow the development of a church, private school, recreational fields and 22,500 square feet of retail uses. The Revised General Plan calls for the development of office and research and development uses on the property. The current zoning, which allows the development of 260,000 square feet of office and retail uses is more in keeping with the land use policies of the Comprehensive Plan.

9. Standard *Whether the proposed rezoning encourages the conservation of properties and their values and the encouragement of the most appropriate use of land throughout the County.*

Analysis The application proposes a church, private school, accessory uses and retail/ service uses within a Keynote Employment designation. The intent of Keynote areas is primarily for the development of large-scale office uses.

10. Standard *Whether the proposed rezoning considers trends of growth or changes, employment, and economic factors, the need for housing, probable future economic and population growth of the county and the capacity of existing and/or planned public facilities and infrastructure.*

Analysis The application will provide a church, private school, accessory uses and retail / service uses. Plan policies do not support the development of 100 percent civic uses in Keynote designations.

11. Standard *The effect of the proposed rezoning to provide moderate housing by enhancing opportunities for all qualified residents of Loudoun County.*

Analysis No affordable units are anticipated or proposed in this application.

## E. SPECIAL EXCEPTION CRITERIA FOR APPROVAL

Section 6-1310 of the Revised 1993 Zoning Ordinance contains evaluation criteria for approval of SPEX applications and, in considering this application, the following enumerated factors shall be given reasonable consideration. The Zoning Ordinance specifies that an applicant is to address each factor in its statement of justification (unless any such criteria are deemed inapplicable to the application).

- A) Whether the proposed special exception is consistent with the Comprehensive Plan.

Keynote Employment is intended to allow the development of large-scale office and research and development uses with support commercial and civic uses. The proposed private school does not conform to Keynote Employment policies.

- B) Whether the proposed special exception will adequately provide for safety from fire hazards and have effective measures of fire control.

The proposed use will meet all requirements of the Fire Code in order to provide for fire safety and control and will be constructed in conformance to all applicable codes.

- C) Whether the level and impact of any noise emanating from the site, including that generated by the proposed use, negatively impacts the uses in the immediate area.

The proposed private school use proposed for the site will not generate noise that would have a negative impact on others in this vicinity. Substantial buffer areas are provided between the outdoor recreation areas and the adjacent residential community to the west. In addition, the proffers contain lighting and noise mitigation measures that will reduce impacts to the adjacent residential development.

- D) Whether the glare or light that may be generated by the proposed use negatively impacts uses in the immediate area.

All lighting for the structures and parking will be appropriately shielded, directed downward and inward towards the property. Specific lighting proffers have been incorporated which mitigate any potential lighting impacts.

- E) Whether the proposed use is compatible with other existing or proposed uses in the neighborhood, and adjacent parcels.

The site is located at the edge of the Keynote Employment area adjacent to residential uses. The proposed church, accessory private school and associated facilities will reduce transportation impacts to the surrounding road network. Proffers have been included to reduce lighting and noise impacts on the adjacent residential area.

- F) Whether sufficient existing or proposed landscaping, screening and buffering on the site and in the neighborhood to adequately screen surrounding uses.

The proposed accessory private school will be included within the main church building. There are extensive buffers and tree conservation areas proposed along the western portion of the site between the athletic fields and the existing residential units. There are lighting and noise proffers that are intended to mitigate impacts to the surrounding communities.

- G) Whether the proposed special exception will result in the preservation of any topographic or physical, natural, scenic, archaeological or historic feature of significant importance.

The existing trees located within the floodplain area along the western property boundary is being preserved. There are no known endangered plant or animal species on the site, nor are there any known significant historic or archaeological features.

- H) Whether the proposed special exception will damage existing animal habitat, vegetation, water quality (including groundwater) or air quality.

The site contains a number of environmental features, including floodplain, wetlands, moderately steep slopes and forested areas. Most of the forest resources are located within the areas of the wetlands, floodplains, and moderately steep slopes. An unnamed tributary to Beaverdam Run lies along the western and northern boundary of the site, which has minor floodplain, wooded area, moderately steep slopes and predicted wetlands associated with it. These environmentally sensitive features will be protected as they were in the original Morley Corner application.

- I) Whether the proposed special exception at the specified location will contribute to or promote the welfare or convenience of the public.

The proposed school will be located in the Ashburn community of the Suburban Policy Area, centrally located to a large number of residential communities. The proposed special exception would allow the development of a private school for approximately 500 students each year at no cost to the County.

- J) Whether the traffic expected to be generated by the proposed use will be adequately and safely served by roads, pedestrian connections and other transportation services.

The subject site will be adequately served by the existing road network. The traffic study notes a substantial decrease in the vehicle trips associated with the church, private school, and retail uses over the approved office / retail.

- K) Whether, in the case of existing structures proposed to be converted to uses requiring a special exception, the structures meet all code requirements of Loudoun County.

A new structure will be constructed to house the proposed private school, which will meet all code requirements of Loudoun County.

- L) Whether the proposed special exception will be served adequately by essential public facilities and services.

The private school will be served adequately by the existing public facilities and services. Central utilities have been extended to the site by the applicant.

- M) The effect of the proposed special exception on groundwater supply.

The proposed private school use will be served adequately by existing public water and sewer services through the proposed Temple Baptist Church. Central utilities will be extended to the site by the applicant. The applicant may use an existing well on the site to irrigate the athletic fields.

- N) Whether the proposed use will affect the structural capacity of the soils.

No negative impact on the structural capacity of the soils is anticipated and construction will be performed according to Facilities Standards Manual requirements.

- O) Whether the proposed use will negatively impact orderly and safe road development and transportation.

The number of trips associated with the proposed development is significantly lower than the approved development. As noted in the staff report, the Ashburn Village Road improvements must be constructed at the same time as the residential component improvements for safety reasons. The proffers should be revised to reflect this commitment.

- P) Whether the proposed special exception use will provide desirable employment and enlarge the tax base by encouraging economic development activities consistent with the Comprehensive Plan.

The proposed private school will employ approximately 56 staff members. The private school will not enlarge the tax base since churches are tax exempt; however, it will provide an alternative to a public school education.

- Q) Whether the proposed special exception considers the needs of agriculture, industry, and businesses in future growth.

The proposal will require approximately 56 staff members.

- R) Whether adequate on and off-site infrastructure is available.

Central utilities will be extended to the site by the applicant. A substantial decrease in the number of vehicle trips is anticipated over the approved development.

- S) Any anticipated odors which may be generated by the uses on site, and which may negatively impact adjacent uses.

No odors are anticipated from the private school.

- T) Whether the proposed special exception uses sufficient measures to mitigate the impact of construction traffic on existing neighborhoods and school areas.

The subject site has direct access to Waxpool Road and Ashburn Village Boulevard, therefore, construction traffic will not be impacting existing neighborhoods or school areas.



<b>VI. ATTACHMENTS</b>		<b>PAGE NUMBER</b>
<b>1. Review Agency Comments</b>		
a. Community Planning (dated 2/12/10 )		A-1
b. ERT (dated 5/13/10 & 9/14/09)		A-12
c. Zoning Administration (dated 5/12/10)		A-15
d. OTS (dated 5/25/10)		A-17
e. VDOT (dated 5/12/10)		A-30
f. Parks, Recreation & Community Services (dated 1/4/10)		A-31
g. Environmental Health (dated 9/11/09)		A-34
h. Loudoun Water (dated 4/27/10)		A-35
Fire & Rescue		A-36
<b>2. Disclosure of Real Parties in Interest / Reaffirmation</b>		A-37
<b>3. Applicant's Statement of Justification</b>		A-49
<b>4. Applicant's Response to Referral Comments</b>		A-65
<b>5. Proffer Statement</b>		A-166